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9 Attorney for Plaintiff,
10 Jose Vera

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 JOSE VERA

17 Plaintiff,

18 vs.

19 AURORA LOAN SERVICES LLC;
20 CAL-WESTERN RECONVEYANCE
21 CORPORATION;

22 DEUTSCHE BANK TRUST COMPANY
23 AMERICAS, IN TRUST FOR, RESIDENTIAL
ACCREDIT LOANS, INC. MORTGAGE

ASSET-BACKED PASS-THROUGH
CERTIFICATES, SERIES 2005-QO4;

MORTGAGE ELECTRONIC

REGISTRATION SYSTEMS, INC.;

HOMECOMINGS FINANCIAL, LLC;

HOMECOMINGS FINANCIAL NETWORK,

INC., a business organization, form unknown;

TRIMERICA MORTGAGE CORPORATION,

a business organization, form unknown.

) Case No: CV 09-03626-CW

) Hon. Claudia Wilken

) STIPULATION AND PROPOSED ORDER
RE REPLY TO OPPOSITION TO
MOTIONS TO DISMISS (ORIGINALLY
SET FOR HEARING ON FEBRUARY 18,
2010)

1 Plaintiff Jose Vera (“Plaintiff”), by and through counsel of record, and Defendant
2 Mortgage Electronic Registration System (“MERS”), by and through their respective counsel of
3 record stipulate as follows:

4 WHEREAS all parties have in principal agreed on a proposed settlement in the above
5 action and are making a good faith effort to dedicate the resolution to a final writing;

6 WHEREAS it is believed by all parties that such settlement may be achieved without
7 further involvement by the court;

8 WHEREAS it is believed by all parties that such settlement will result in the dismissal
9 of all parties to the action;

10 WHEREAS MERS have a reply due to Plaintiff’s Opposition Defendants’ Motion to
11 Dismiss the Second Amended Complaint by February 4, 2010;

12 WHEREAS all parties believe justice will be furthered and judicial resources conserved
13 if MERS are allowed additional time to reply to Plaintiff’s Opposition to Defendants’ Motion to
14 Dismiss the Second Amended Complaint;

15 IT IS HEREBY STIPULATED, and the parties request that the Court Order that any
16 reply by MERS to Plaintiff’s Opposition to Defendants’ Motion to Dismiss the Second Amended
17 Complaint be filed no later than February 18, 2010. Alternatively, the parties request that the
18 Court continue the hearing date at least 2 weeks to March 4, 2010, making MERS’ Reply due on
19 February 18, 2010.

20 **IT IS SO STIPULATED.**

21 DATED: February 1, 2010

22 LAW OFFICE OF ALLAN J. CORY

24 By: /S/ Allan Cory

25 Allan J. Cory

26 Attorney for Plaintiff JOSE VERA

1 DATED: February 1, 2010

2 HOUSER AND ALLISON

3

4 By: /S/ Robert L. Driessen

5 Robert L. Driessen

6 Attorneys for Defendant MORTGAGE

7 ELECTRONIC REGISTRATION SYSTEMS,

8 INC.

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ORDER

Pursuant to the stipulation of the parties and good cause appearing therefore, any reply by MERS to Plaintiff's Opposition to Defendants' Motion to Dismiss the Second Amended Complaint shall be filed no later than February 18, 2010.

IT IS SO ORDERED.

2/23/10

Dated:

Chadiele Witt

Hon. Claudia Wilken

United States District Court Judge